

CLASSIFICATION OFFICE DECISION

Title of publication: Untitled aka P9

Other known title(s): Photograph (P9)

OFLC ref: 0802446.008

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 27 July 2009

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The image is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 because it promotes and supports the exploitation of children for sexual purposes. The image is deliberately contrived to focus on a young girl's undeveloped genitals and immature body. The obvious purpose of the image is the gratification of persons with a sexual interest in children and it has the effect of legitimising and encouraging this interest.

The classification of this publication interferes with the freedom of expression as set out in the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.